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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/671,953	09/26/2003	Denny Jaeger	4340	7290

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EXAMINER
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ART UNIT	PAPER NUMBER
2176	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/21/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

	Application No.	Applicant(s)
Office Action Summary	10/671,953	JAEGER, DENNY
	Examiner	Art Unit	
	Andrea N. Long	2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>26 September 2003 and 06 April 2004</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>6-40</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>6-40</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>26 September 2003</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Claims 1-5 have been cancelled and claims 6-40 have been examined in response to

application filed 09/26/2003 and 04/06/2004.

Specification

1.   Applicant is reminded of the proper content of an abstract of the disclosure.

        A patent abstract is a concise statement of the technical disclosure of the patent
and should include that which is new in the art to which the invention pertains. If the
patent is of a basic nature, the entire technical disclosure may be new in the art, and the
abstract should be directed to the entire disclosure. If the patent is in the nature of an
improvement in an old apparatus, process, product, or composition, the abstract should
include the technical disclosure of the improvement. In certain patents, particularly
those for compounds and compositions, wherein the process for making and/or the use
thereof are not obvious, the abstract should set forth a process for making and/or use
thereof. If the new technical disclosure involves modifications or alternatives, the
abstract should mention by way of example the preferred modification or alternative.

        The abstract should not refer to purported merits or speculative applications of
the invention and should not compare the invention with the prior art.

        Where applicable, the abstract should include the following:
(1) if a machine or apparatus, its organization and operation;
(2) if an article, its method of making;
(3) if a chemical compound, its identity and use;
(4) if a mixture, its ingredients;
(5) if a process, the steps.

        Extensive mechanical and design details of apparatus should not be given.

2.   Applicant is reminded of the proper language and format for an abstract of the
disclosure.

        The abstract should be in narrative form and generally limited to a single
paragraph on a separate sheet within the range of 50 to 150 words. It is important that
the abstract not exceed 150 words in length since the space provided for the abstract
on the computer tape used by the printer is limited. The form and legal phraseology
often used in patent claims, such as "means" and "said," should be avoided. The

abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

3.   The abstract of the disclosure is objected to because:

The abstract currently recites "A graphic user interface (GUI) and method for providing a computer operating environment utilizes a set of universal tools so that an intuitive computer environment" and is a fragmented sentence.

The abstract is 159 words in length. Correction is required. See MPEP

§ 608.01(b).

4.   The disclosure is objected to because of the following informalities: page 7

paragraph [0016] recites "A graphic user interface (GUI) and method for providing a

computer operating environment utilizes a set of universal tools so that an intuitive

computer environment" and is a fragmented sentence.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

5.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6.   **Claims 6, 7, 9-19, and 21-40 are rejected under 35 U.S.C. 103(a) as being**

unpatentable over Edwards et al (US Patent 6459442 B1), hereinafter "Edwards".

As to independent claim 6, Edwards teaches a graphic user interface for an

electronic device with a display (column 1 lines 64-66) comprising:

a global drawing surface (Fig 1 reference character 104, the area contained

within the bordered region of the display) on which different graphic elements can be

created, said different graphic element existing on said global drawing surface (column

4 lines 53-59, Edwards teaches using freehand strokes to define events to produce on

the display); and

a display-and-control graphic element (graphic segments and behaviors) on said

global drawing surface having a local drawing surface (Fig 1, the local drawing surface

is any area located with the global drawing surface) on which additional graphic

elements can be created (column 5 lines 14-37, Edwards teaches graphic segments

and associated strokes being drawn on a localized area of the display), said display-

and-control graphic element having a viewable area (Fig 1), said display-and-control

graphic element being configured such that said additional graphic elements on said

local drawing area are managed by said display-and-control graphic but exist on said

global drawing surface (column 5 lines 3-37, Edwards teaches strokes, behaviors, and

graphic segments can be utilized on any region of the display). However Edwards,

does not teach said display-and-control graphic that can selectively display a portion of

said local drawing surface such that some of said local drawing surface is not displayed. Cropping and clipping are well known terms used to describe resizing, trimming, and hiding of certain areas of a display. It is also well known in the art that cropping and clipping can occur by the user selecting a portion of a display to be viewed.

Therefore it would have been obvious to one skilled in the art at the time the invention was made to have included cropping or clipping with Edwards' system to allow a user to focus on a primary subject and sharpening an area by cropping or clipping simply creates a clearer, better looking layout which is important when paying attention to detail is critical.

As to dependent claim 7, Edwards teaches said display-and-control graphic element is configured such that said local drawing surface provides a same operational environment as said global drawing surface (column 2 lines 7-9, column 4 lines 13-31 Edwards teaches the user interface being implemented in a display editing system).

As to dependent claim 9, Edwards teaches wherein a first graphic element (a) of said additional graphic elements in said display-and-control graphic element is functionally linked with a second graphic element (b) of said different graphic elements on said global drawing surface (Fig 17, column 10 lines 36-52).

As to dependent claim 10, Edwards teaches wherein said first graphic element in said display-and-control graphic element and said second graphic element on said global drawing surface are configured such that said first graphic element is controlled by said second graphic element (column 2 lines 35-42, Edwards teaches that the segment controller, regardless if it is the first or second graphic element, can controls the output of a selected segment).

As to dependent claim 11, Edwards teaches wherein said first graphic element in said display-and-control graphic element and said second graphic element on said global drawing surface are configured such that said second graphic element is controlled by said first graphic element (column 2 lines 35-42, Edwards teaches that the segment controller, regardless if it is the first or second graphic element, can controls the output of a selected segment).

As to dependent claim 12, Edwards teaches wherein said different graphic elements, said additional graphic elements and said display-and-control graphic element can be saved as a log, including relative positions and functional associations of said different graphic elements, said additional graphic elements and said display-and-control graphic element (column 8 line 40 through column 9 line 18).

As to dependent claim 13, Edwards teaches a second display-and-control graphic element on said global drawing surface, said second display-and-control

graphic element including a graphic element that is functionally linked with a particular

graphic element, said particular graphic element being one of said different graphic

elements on said global drawing surface or one of said additional graphic elements in

said display-and-control graphic element (Fig 17, column 10 lines 36-52).

As to dependent claim 14, Edwards teaches a second display-and-control

graphic element on said local drawing surface of said display-and-control graphic

element such that said second display-and-control graphic element is located within

said display-and-control graphic element, said second display-and-control graphic

element including a graphic element that is functionally linked with a particular graphic

element, said particular graphic element being one of said different graphic elements

on said global drawing surface or one of said additional graphic elements in said

display-and-control graphic element (Fig 17, column 10 lines 36-52).

As to dependent claim 15, Edwards teaches a graphic control device on said

global drawing surface, said graphic control device being functionally linked with a

particular graphic element of said additional graphic elements in said display-and-

control graphic element such that a relative layering position of said particular graphic

element is controlled by said graphic control device (Fig 19 and 20, column 53-65).

As to dependent claim 16, Edwards teaches a second display-and-control

graphic element associated with a particular graphic element of said different graphic

elements, said second display-and-control graphic element being configured to be activated to modify a property of said particular graphic element (column 5 lines 7-13).

As to dependent claim 17, Edwards teaches said second display-and-control graphic element is one of a set of display-and-control graphic elements, each display-and-control graphic element of said set being configured to be activated to modify a unique property of said particular graphic element (column 5 lines 7-13).

As to independent claim 18, is rejected under the same reasoning as claim 6.

As to dependent claim 19, is rejected under the same reasoning as claim 7.

As to dependent claim 21, Edwards teaches wherein a first graphic element of said additional graphic elements in said display-and-control graphic element is functionally linked with a second graphic element of said different graphic elements on said global drawing surface (Fig 17, column 10 lines 36-52).

As to dependent claim 22, Edwards teaches wherein said first graphic element in said display-and-control graphic element and said second graphic element on said global drawing surface are configured such that said first graphic element is controlled by said second graphic element (column 2 lines 35-42, Edwards teaches that the segment controller; regardless if it is the first or second graphic element, can controls the output of a selected segment).

As to dependent claim 23, Edwards teaches wherein said first graphic element in said display-and-control graphic element and said second graphic element on said global drawing surface are configured such that said second graphic element is controlled by said first graphic element (column 2 lines 35-42, Edwards teaches that the segment controller, regardless if it is the first or second graphic element, can controls the output of a selected segment).

As to dependent claim 24, Edwards teaches wherein said different graphic elements, said additional graphic elements and said display-and-control graphic element can be saved as a log, including relative positions and functional associations of said different graphic elements, said additional graphic elements and said display-and-control graphic element (column 8 line 40 through column 9 line 18).

As to dependent claim 25, Edwards teaches wherein said graphic user interface further comprises a second display-and-control graphic element on said global drawing surface, said second display-and-control graphic element including a graphic element that is functionally linked with a particular graphic element, said particular graphic element being one of said different graphic elements on said global drawing surface or one of said additional graphic elements in said display-and-control graphic element (Fig 17, column 10 lines 36-52).

As to dependent claim 26, Edwards teaches a second display-and-control graphic element on said local drawing surface of said display-and-control graphic element such that said second display-and-control graphic element is located within said display-and-control graphic element, said second display-and-control graphic element including a graphic element that is functionally linked with a particular graphic element, said particular graphic element being one of said different graphic elements on said global drawing surface or one of said additional graphic elements in said display-and-control graphic element (Fig 17, column 10 lines 36-52).

As to dependent claim 27, Edwards teaches a graphic control device on said global drawing surface, said graphic control device being functionally linked with a particular graphic element of said additional graphic elements in said display-and-control graphic element such that a relative layering position of said particular graphic element is controlled by said graphic control device (Fig 19 and 20, column 53-65).

As to dependent claim 28, Edwards teaches a second display-and-control graphic element associated with a particular graphic element of said different graphic elements, said second display-and-control graphic element being configured to be activated to modify a property of said particular graphic element (column 5 lines 7-13).

As to dependent claim 29, Edwards teaches said second display-and-control graphic element is one of a set of display-and-control graphic elements, each display-

and-control graphic element of said set being configured to be activated to modify a unique property of said particular graphic element (column 5 lines 7-13).

As to independent claim 30, Edwards teaches a method for providing a computer environment comprising:

generating a display-and-control graphic element having a local drawing surface (Fig 1, the local drawing surface is any area located with the global drawing surface) on a global drawing surface (Fig 1 reference character 104, the area contained within the bordered region of the display), said display-and-control graphic element having a viewable area (Fig 1) ; and

creating a graphic element on said local drawing surface of said display-and-control graphic element such that said graphic element is managed by said display-and-control graphic but exist on said global drawing surface (column 5 lines 3-37, Edwards teaches strokes, behaviors, and graphic segments can be utilized on any region of the display). However Edwards, does not teach said display-and-control graphic that can selectively display a portion of said local drawing surface such that some of said local drawing surface is not displayed. Cropping and clipping are well known terms used to describe resizing, trimming, and hiding of certain areas of a display. It is also well known in the art that cropping and clipping can occur by the user selecting a portion of a display to be viewed.

Therefore it would have been obvious to one skilled in the art at the time the invention was made to have included cropping or clipping with Edwards' system to allow

a user to focus on a primary subject and sharpening an area by cropping or clipping

simply creates a clearer, better looking layout which is important when paying attention

to detail is critical.

As to dependent claim 31, Edwards teaches wherein said display-and-control

graphic element is configured such that said local drawing surface provides a same

operational environment as said global drawing surface (column 2 lines 7-9, column 4

lines 13-31 Edwards teaches the user interface being implemented in a display editing

system).

As to dependent claim 32, Edwards teaches functionally linking said graphic

element in said display-and-control graphic element with a second graphic element on

said global drawing surface (Fig 17, column 10 lines 36-52).

As to dependent claim 33, Edwards teaches wherein said functionally linking

includes functionally linking said graphic element in said display-and-control graphic

element with a second graphic element on said global drawing surface such that said

graphic element is controlled by said second graphic element (column 2 lines 35-42,

Edwards teaches that the segment controller, regardless if it is the first or second

graphic element, can controls the output of a selected segment).

As to dependent claim 34, Edwards teaches wherein said functionally linking includes functionally linking said graphic element in said display-and-control graphic element with a second graphic element on said global drawing surface such that said second graphic element is controlled by said graphic element (column 2 lines 35-42, Edwards teaches that the segment controller, regardless if it is the first or second graphic element, can controls the output of a selected segment).

As to dependent claim 35, Edwards teaches saving said graphic element, said second graphic element and said display-and-control graphic element, including relative positions and functional associations of said graphic element, said second graphic element and said display-and-control graphic element, as a log (column 8 line 40 through column 9 line 18).

As to dependent claim 36, Edwards teaches generating a second display-and-control graphic element on said global drawing surface, creating a second graphic element in said second display-and-control graphic element, and functionally linking said graphic element in said display-and-control graphic element with said second graphic element in said second display-and-control graphic element (Fig 17, column 10 lines 36-52).

As to dependent claim 37, Edwards teaches generating a second display-and-control graphic element on said local drawing surface of said display-and-control

graphic element such that said second display-and-control graphic element is located within said display-and-control graphic element, creating a second graphic element in said second display-and-control graphic element, and functionally linking said graphic element in said display-and-control graphic element with said second graphic element in said second display-and-control graphic element (Fig 17, column 10 lines 36-52).

As to dependent claim 38, Edwards teaches functionally linking a graphic control device on said global drawing surface with said graphic element such that a relative layering position of said graphic element with respect to other graphic elements on said local global surface of said display-and-control graphic element is controlled by said graphic control device (Fig 19 and 20, column 53-65).

As to dependent claim 39, Edwards teaches generating a second display-and-control graphic element on said global drawing surface that is associated with a particular graphic element on said global drawing surface, said second display-and-control graphic element being configured to be activated to modify a property of said particular graphic element (column 5 lines 7-13).

As to dependent claim 40, Edwards teaches said generating of said second display-and-control graphic element includes generating a set of display-and-control graphic elements, each display-and-control graphic element of said set being

configured to be activated to modify a unique property of said particular graphic

element (column 5 lines 7-13).

7.   **Claims 8 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable**

over Edwards in view of DeStefano (US Patent 6184885 B1).

      As to dependent claim 8, note the discussion above, Edwards teaches a

display-and-control graphic element. However Edwards does not teach including one

of a maximize switch and a close switch. DeStefano teaches using input control

devices such as gestures to provide user input to a computer (column 5 lines 33-43).

DeStefano also teaches interface controls such as close and maximize (column 16

lines 61-65).

      Therefore it would have been obvious to one skilled in the art at the time the

invention was made to have implemented the controls of close and maximize teachings

of DeStefano with the display-and-control graphic element of Edwards to make

standard operations of a window available within the user interface.

      As to dependent claim 20, it is rejected under the same reasoning as claim 8.

Conclusion

8.   The prior art made of record on Form PTO 892 and not relied upon is considered

pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Andrea N. Long whose telephone number is 571-270-

1055. The examiner can normally be reached on Mon - Thurs 7:30 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Heather Herndon can be reached on 571-272-4136. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

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USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Andrea Long
02/12/2007

WILLIAM BASHORE
PRIMARY EXAMINER